

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES EXCHANGE ACT OF 1934
Release No. 76932 / January 19, 2016

INVESTMENT ADVISERS ACT OF 1940
Release No. 4317 / January 19, 2016

ADMINISTRATIVE PROCEEDING
File No. 3-17059

In the Matter of

MICHAEL T. SNEDEKER,

Respondent.

**ORDER INSTITUTING
ADMINISTRATIVE PROCEEDINGS
PURSUANT TO SECTION 15(b) OF THE
SECURITIES EXCHANGE ACT OF 1934
AND SECTION 203(f) OF THE
INVESTMENT ADVISERS ACT OF 1940,
MAKING FINDINGS, AND IMPOSING
REMEDIAL SANCTIONS**

I.

The Securities and Exchange Commission (“Commission”) deems it appropriate and in the public interest that public administrative proceedings be, and hereby are, instituted pursuant to Section 15(b) of the Securities Exchange Act of 1934 (“Exchange Act”) and Section 203(f) of the Investment Advisers Act of 1940 (“Advisers Act”) against Michael T. Snedeker (“Snedeker” or “Respondent”).

II.

In anticipation of the institution of these proceedings, Respondent has submitted an Offer of Settlement (the “Offer”) which the Commission has determined to accept. Solely for the purpose of these proceedings and any other proceedings brought by or on behalf of the Commission, or to which the Commission is a party, Respondent admits the Commission’s jurisdiction over him and the subject matter of these proceedings, and the findings contained in Sections III.1, III.2, and III.3 below, and consents to the entry of this Order Instituting

Administrative Proceedings Pursuant to Section 15(b) of the Securities Exchange Act of 1934 and Section 203(f) of the Investment Advisers Act of 1940, Making Findings, and Imposing Remedial Sanctions (“Order”), as set forth below.

III.

On the basis of this Order and Respondent’s Offer, the Commission finds that:

1. From February 2006 through July 2015, Snedeker was a registered representative of and a person associated with Investors Capital Corp. (“ICC”), a broker-dealer and investment adviser registered with the Commission. Snedeker, 45 years old, is a resident of Waltham, Massachusetts.
2. On July 8, 2015, Snedeker pled guilty in the United States District Court for the District of Massachusetts to one count of conspiracy to defraud the United States in violation of Title 18 United States Code, Section 371 in the criminal action of United States v. Snedeker, Case No. 1:15-cr-10157-DJC. On October 1, 2015, a judgment in the criminal case was entered against Snedeker. He was sentenced to a term of probation of 36 months with the first 8 months to be served in home confinement. He was also ordered to pay restitution in the amount of \$119,663 and a special assessment of \$100.
3. In connection with his guilty plea, Respondent admitted, inter alia, that:
 - (a) From in or about October 2010, and continuing thereafter until in or about January 2014, in the District of Massachusetts, Snedeker and his co-defendants knowingly and wilfully conspired to defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful government functions of the Internal Revenue Service of the Treasury Department (“IRS”) in the ascertainment, computation, assessment, and collection of income taxes;
 - (b) In connection with a criminal takeover of the Swedenborgian Church in Boston, Massachusetts by co-conspirator Edward J. MacKenzie, Jr. (“MacKenzie”), who was previously convicted of racketeering and related crimes in the criminal action of United States v. MacKenzie, Case No. 1:13-cr-10149-FDS, MacKenzie influenced the church’s Board of Directors to hire Snedeker as a property manager for church-owned rental property;
 - (c) Despite having no prior experience in the field of property management, Snedeker received excessive compensation, benefits, and bonuses;
 - (d) At MacKenzie’s request, Snedeker paid kickbacks from his salary and bonuses to MacKenzie in order to maintain his position as property manager, and further, Snedeker delivered kickbacks from his co-defendant to MacKenzie while keeping a portion of the kickback money for himself;

- (e) Snedeker directed his co-defendant to prepare false Forms 1099 for the 2011 tax year, which significantly underreported the amount of income paid by the title holding company of the church's rental property to Snedeker, his co-defendants, and others, and to provide these false Forms 1099 to all of the payees; and
- (f) Snedeker caused his 2011 individual federal income tax return to be filed with the IRS, knowing that the return was false.

IV.

In view of the foregoing, the Commission deems it appropriate and in the public interest to impose the sanctions agreed to in Respondent Snedeker's Offer.

Accordingly, it is hereby ORDERED, pursuant to Section 15(b)(6) of the Exchange Act and Section 203(f) of the Advisers Act, that Respondent Snedeker be, and hereby is barred from association with any broker, dealer, investment adviser, municipal securities dealer, municipal advisor, transfer agent, or nationally recognized statistical rating organization; and

Pursuant to Section 15(b)(6) of the Exchange Act, Respondent Snedeker be, and hereby is barred from participating in any offering of a penny stock, including: acting as a promoter, finder, consultant, agent or other person who engages in activities with a broker, dealer or issuer for purposes of the issuance or trading in any penny stock, or inducing or attempting to induce the purchase or sale of any penny stock.

Any reapplication for association by the Respondent will be subject to the applicable laws and regulations governing the reentry process, and reentry may be conditioned upon a number of factors, including, but not limited to, the satisfaction of any or all of the following: (a) any disgorgement ordered against the Respondent, whether or not the Commission has fully or partially waived payment of such disgorgement; (b) any arbitration award related to the conduct that served as the basis for the Commission order; (c) any self-regulatory organization arbitration award to a customer, whether or not related to the conduct that served as the basis for the Commission order; and (d) any restitution order by a self-regulatory organization, whether or not related to the conduct that served as the basis for the Commission order.

By the Commission.

Brent J. Fields
Secretary